

AO 149 (6/88)

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT  
Appeal Information Sheet

United States District Court for the Northern District of California

---

ORACLE AMERICA, INC. -v- GOOGLE INC.

Plaintiff(s)

Defendant(s)

(List all parties. Use asterisk to indicate dismissed or withdrawn parties. Use separate sheet if needed. Explain any discrepancy with caption used on judgment, order or opinion.)

Type of case: Patent

Docket No. CV 10-03561 WHA

Date of Judgment/Order: 9/4/2012 Docket 1242

Cross or related appeal?

Date of Notice of Appeal: October 4, 2012 Docket Entry 1247

Appellant is: ( ) Plaintiff (X) Defendant ( ) Other (explain

---

DOCKET FEE STATUS:

(X) Paid ( ) Not Paid Billed On:

U.S. Appeal? Yes ( ) No (X)

In forma pauperis?

( ) Granted ( ) Denied ( ) Revoked ( ) Pending (x) Never requested

---

COUNSEL

(List name, firm, address and telephone of lead counsel for each party. Indicate party represented.

See Docket Sheet

COURT REPORTER: See Docket Sheet

IMPORTANT: Attach copy of opinion or order appealed from. Forward together with copy of notice of appeal and certified docket entries.

1 KEKER & VAN NEST LLP  
2 ROBERT A. VAN NEST - # 84065  
3 rvannest@kvn.com  
4 CHRISTA M. ANDERSON - # 184325  
5 canderson@kvn.com  
6 DANIEL PURCELL - # 191424  
7 dpurcell@kvn.com  
8 633 Battery Street  
9 San Francisco, CA 94111-1809  
10 Telephone: 415 391 5400  
11 Facsimile: 415 397 7188

KING & SPALDING LLP  
DONALD F. ZIMMER, JR. - #112279  
fzimmer@kslaw.com  
CHERYL A. SABNIS - #224323  
csabnis@kslaw.com  
101 Second Street, Suite 2300  
San Francisco, CA 94105  
Tel: 415.318.1200  
Fax: 415.318.1300

7 KING & SPALDING LLP  
8 SCOTT T. WEINGAERTNER  
9 (Pro Hac Vice)  
10 sweingaertner@kslaw.com  
11 ROBERT F. PERRY  
12 rperry@kslaw.com  
13 BRUCE W. BABER (Pro Hac Vice)  
14 1185 Avenue of the Americas  
15 New York, NY 10036  
16 Tel: 212.556.2100  
17 Fax: 212.556.2222

IAN C. BALLON - #141819  
ballon@gtlaw.com  
HEATHER MEEKER - #172148  
meekerh@gtlaw.com  
GREENBERG TRAURIG, LLP  
1900 University Avenue  
East Palo Alto, CA 94303  
Tel: 650.328.8500  
Fax: 650.328.8508

13 Attorneys for Defendant  
14 GOOGLE INC.

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18 ORACLE AMERICA, INC.,

19 Plaintiff,

20 v.

21 GOOGLE INC.,

22 Defendant.  
23  
24  
25  
26  
27  
28

Case No. 3:10-cv-03561 WHA

**AMENDED NOTICE OF APPEAL**

Dept.: Courtroom 8, 19<sup>th</sup> Floor  
Judge: Hon. William Alsup

1 Notice is hereby given that Defendant, Google Inc. (hereinafter "Google"), appeals to the  
2 United States Court of Appeals for the Federal Circuit from the Order Denying Motion for  
3 Judgment as a Matter of Law and New Trial (Dkt. No. 1242) entered in this action on September  
4 4, 2012.

5 Dated: October 4, 2012

KEKER & VAN NEST LLP

6  
7 By: /s/ Steven A. Hirsch  
STEVEN A. HIRSCH

8 Attorneys for Defendant  
9 GOOGLE INC.  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

No. C 10-03561 WHA

Plaintiff,

v.

**ORDER DENYING MOTION  
FOR JUDGMENT AS A MATTER  
OF LAW AND NEW TRIAL**

GOOGLE INC.,

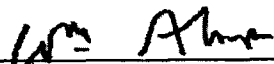
Defendant.

Defendant Google Inc. moves for judgment as a matter of law under Rule 50(b), or in the alternative, for a new trial under Rule 59, on copyright issues regarding the rangeCheck function and decompiled files. Google's arguments are repetitive of its Rule 50(a) motion and rely on the same evidence. For reasons stated in the prior orders (Dkt. Nos. 1119, 1123), Google's motion is **DENIED**.

The Court takes this opportunity to state that it will take no further action regarding the subject of payments by the litigants to commentators and journalists and reassures both sides that no commentary has in any way influenced the Court's orders and ruling herein save and except for any treatise or article expressly cited in an order or ruling.

**IT IS SO ORDERED.**

Dated: September 4, 2012.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE